

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In Re:)	Case#: 10-51542
Gregory Joseph Balk)	Chapter 13
)	
Debtor(s))	MOTION TO RECONSIDER
_____)	DISMISSAL ORDER

NOW COMES the above named Debtor through his attorney, Jack G. Lezman and request the Court as follows:

1. This Chapter 13 bankruptcy was filed November 8, 2010. This bankruptcy case was a normal filing, not an emergency. All schedules were signed & filed at the time of filing.
2. Evidently there was an uploading error in which only a portion of the schedules were filed and a deficiency notice was filed.
3. Due to an oversight on our part, and by no fault of the debtor, the missing documents were not filed and an order dismissing case was filed by the court due to failure to file Schedule I, Schedule J, Declaration Concerning Schedules, Form 7, Fee Disclosure Statement, Fee Disclosure Statement (Local Form 3), Chapter 13 Statement of Income, & Exhibit D to Petition.
3. Immediately upon receiving the dismissal notice, the missing schedules/statements were filed.
4. The original 341(a) Meeting of Creditors is scheduled for December 20, 2010. Debtor would request this Meeting of Creditors to remain as scheduled.
5. The trustee has no objection to the 341(a) Meeting of Creditor's to remain as scheduled.

WHEREFORE, Debtors move the Court to:

1. Reconsider the dismissal order and enter an Order allowing debtors to complete their Chapter 13 Plan.
2. Reinstate the Section 341(a) Meeting of Creditors for December 20, 2010 at 9:00 a.m.

Respectfully submitted this the 2nd day of December, 2010

Jack G. Lezman
Attorney for Debtor(s)
4801 E. Independence Blvd., Suite 616
Charlotte, NC 28212
704/536-7669
NC Bar #22168

**UNITED STATES BANKRUPTCY COURT
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In Re:)	Case#: 10-51542
Gregory Joseph Balk)	Chapter 13
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NOTICE OF HEARING

Take Notice that a motion has been filed by Jack G. Lezman, attorney for debtor(s). A copy of this motion accompanies this notice.

Take further notice that any response, including objection, to the motion should be filed with the Clerk of the Bankruptcy Court within **fifteen (15) days** of this notice and a copy served on the attorney identified below and upon other parties as required by law or Court order. Any response shall clearly identify the specific motion to which the response is directed and it shall comply fully with any Local Bankruptcy Rules applicable.

Take further notice that a hearing will be held on this motion as follows:

Location:

**100 Justice Place
Shelby, NC 28150**

Time and Date:

**December 17, 2010
9:30 a.m.**

Respectfully submitted this the 2nd day of December, 2010

Jack G. Lezman
Attorney for Debtor(s)
4801 E. Independence Blvd., Suite 616
Charlotte, NC 28212
704/536-7669
NC Bar #22168

Certificate of Service

I, Jack G. Lezman, Attorney for the Debtor, do hereby certify that I have served a copy of this Motion on the following persons at the addresses listed below, this being there last known address, by depositing said copy in the US Mail with sufficient postage.

Steven G. Tate, Trustee
PO Box 1778
Statesville, NC 28687

See attached mailing matrix

This the 2nd day of December, 2010

Jack G. Lezman
Attorney at Law
4801 E. Independence Blvd., Suite 616
Charlotte, NC 28212
Telephone: 704/536-7669
NC Bar # 22168

Label Matrix for local noticing
0419-5
Case 10-51542
Western District of North Carolina
Wilkesboro
Fri Dec 3 12:17:44 EST 2010

Wilkesboro Division
P.O. Box 34189
Charlotte, NC 28234-4189

Absolute Collection Service
421 Fayetteville Street Mall, Ste. 600
Att: Bankruptcy Dept.
Raleigh, NC 27601-1777

Asheville Anesthesia Assoc., PA
76 Peachtree Rd.
Suite 300
Asheville, NC 28803-3505

Asheville Radiology Assoc., PA
PO Box 2809
Asheville, NC 28802-2809

BB&T Financial, FSB
PO Box 698
Wilson, NC 27894-0698

Black Mountain Savings Bank
PO Box 729
Black Mountain, NC 28711-0729

Blue Ridge Bone and Joint Clinic
129 McDowell St.
Asheville, NC 28801-4434

CitiFinancial
PO Box 6931
Attn: Bankruptcy Dept.
The Lakes, NV 88901-6931

Discover Bank/DFS Services LLC
PO Box 3025
New Albany, OH 43054-3025

(p)DISCOVER FINANCIAL SERVICES LLC
PO BOX 3025
NEW ALBANY OH 43054-3025

Home Depot Credit Services
PO Box 9100
Att: Bankruptcy Dept.
Des Moines, IA 50368-9100

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 21126
PHILADELPHIA PA 19114-0326

Lowes/ GE Money Bank
Attn: Bankruptcy Dept.
PO Box 103104
Roswell, GA 30076-9104

Mission Hospital
PO Box 75378
Charlotte, NC 28275-0378

North Carolina Department of Revenue
Bankruptcy Unit
P.O. Box 1168
Raleigh, NC 27602-1168

Phyllis Bracken
252 E. Statesville Ave.
Mooresville, NC 28115-2448

Gregory Joseph Balk
PO Box 2246
Huntersville, NC 28070-2246

Jack G. Lezman
Attorney At Law
4801 E. Independence Blvd.
Ste. 616
Charlotte, NC 28212-5491

Steven G. Tate
P.O. Box 1778
Statesville, NC 28687-1778

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Discover Card
PO Box 15251
Att: Bankruptcy Dept.
Wilmington, DE 19886-5251

Internal Revenue Service
P.O. Box 21126
Philadelphia, PA 19114

End of Label Matrix
Mailable recipients 19
Bypassed recipients 0
Total 19